



COPY OF PAPERS  
ORIGINALLY FILED

Attorney's Docket No.: 42390.P12491

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Burns et al.	)	Examiner : Not Yet Assigned
	)	
Application No.: 10/041,013	)	Art Unit: 2181
	)	
Filed: December 28, 2001	)	
	)	
For: MULTIPLE MOD EPOWER	)	
THROTTLE MECHANISM	)	
_____	)	

Assistant Commissioner for Patents  
Box: Missing Parts  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
(FILING DATE GRANTED)

Sir:

In response to the Notice to File Missing parts of Application (Filing Date  
Granted) mailed February 8, 2002, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to  
the above-referenced patent application;
- (2) a Fee Transmittal for FYI 2002;
- (3) a check in the amount of \$130.00 in payment of the surcharge of 37

C.F.R. § 1.16(e);

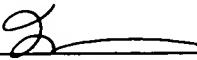
- (4) a copy of the Notice to File Missing Parts of Application; and
- (5) a Request to Correct Filing Receipt accompanied by documents to  
support correction.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,

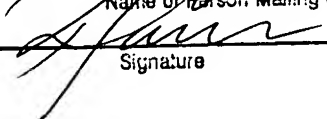
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 4/8/02

  
Michael J. Mallie  
Reg. No. 36,591

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on April 8, 2002  
Date of Deposit  
Regina Torres  
Name of Person Mailing Correspondence  
 4-8-02  
Signature Date



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Receipt

MP  
\$

PTO/SB/17(09/00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## FEE TRANSMITTAL FOR FY 2002

TOTAL AMOUNT OF PAYMENT (\$) 130.00

**Complete if Known:**

Application No. 10/041,013

Filing Date December 28, 2001

First Named Inventor James S. Burns

Group Art Unit 2181

Examiner Name Not Yet Assigned

Attorney Docket No. 42390.P12491

### METHOD OF PAYMENT (check one)

1. ☒ [ X ] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666

Deposit Account Name \_\_\_\_\_

- ☐ [ X ] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ [ ] Applicant claims small entity status. See 37 CFR 1.27

2. X Payment Enclosed: X Check  
Money Order  
Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
101	740	201	370	Utility application filing fee	_____
106	330	206	165	Design application filing fee	_____
107	510	207	255	Plant filing fee	_____
108	740	208	370	Reissue filing fee	_____
114	160	214	80	Provisional application filing fee	_____

SUBTOTAL (1) \$ 0

#### 2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	_____	- 20** = _____	X _____	= _____
Independent Claims	_____	- 3** = _____	X _____	= _____
Multiple Dependent	_____		_____	= _____

\*\*Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	<u>\$130.00</u>
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	_____
139	130	139	130	Non-English specification	_____
147	2,520	147	2,520	For filing a request for ex parte reexamination	_____
099	8,800	099	8,800	Request for inter parties reexamination	_____
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	_____
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	_____
115	110	215	55	Extension for reply within first month	_____
116	400	216	200	Extension for reply within second month	_____
117	920	217	460	Extension for reply within third month	_____
118	1,440	218	720	Extension for reply within fourth month	_____
128	1,960	228	980	Extension for reply within fifth month	_____
119	320	219	160	Notice of Appeal	_____
120	320	220	160	Filing a brief in support of an appeal	_____
121	280	221	140	Request for oral hearing	_____
138	1,510	138	1,510	Petition to institute a public use proceeding	_____
140	110	240	55	Petition to revive - unavoidable	_____
141	1,280	241	640	Petition to revive - unintentional	_____
142	1,280	242	640	Utility issue fee (or reissue)	_____
143	460	243	230	Design issue fee	_____
144	620	244	310	Plant issue fee	_____
122	130	122	130	Petitions to the Commissioner	_____
123	50	123	50	Processing fee under 37 CFR 1.17(q)	_____
126	180	126	180	Submission of Information Disclosure Stmt	_____
581	40	581	40	Recording each patent assignment per property (times number of properties)	_____
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
148	110	248	55	Statutory Disclaimer	_____
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
179	740	279	370	Request for Continued Examination (RCE)	_____
169	900	169	900	Request for expedited examination of a design application	_____
195	300	195	300	Publication fee for early, voluntary, or normal pub.	_____
196	300	196	300	Publication fee for republication	_____
194	130	194	130	Request for voluntary publication or republication	_____
098	130	098	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
091	1,280	091	1,280	Acceptance of unintentionally delayed claim for priority	_____

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 130.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Michael J. MallieSignature:  Dat : 4/3/02Reg. Numb r: 36,591 Telephone Numb r: 408-720-8300



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PTO/SB/17(09/00)

Approved for use through 10/31/2002. OMB 0651-0032

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**Complete if Known:**

Application No. 10/041,013  
Filing Date December 28, 2001  
First Named Inventor James S. Burns  
Group Art Unit 2181  
Examiner Name Not Yet Assigned  
Attorney Docket No. 42390.P12491

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Deposit Account Name \_\_\_\_\_

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- ☐ **Applicant claims small entity status. See 37 CFR 1.27**

2. ☒ **Payment Enclosed:** ☒ **Check**  
\_\_\_\_\_ **Money Order**  
\_\_\_\_\_ **Other**

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		<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims _____	- 20** = _____	X	_____	= _____
Independent Claims _____	- 3** = _____	X	_____	= _____
Multiple Dependent _____			_____	= _____

**\*\*Or number previously paid, if greater; For Reissues, see below.**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	
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**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

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Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 130.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Michael J. MallieSignature:  Date: 4/9/02Reg. Number: 36,591 Telephone Number: 408-720-8300



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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/041,013	12/28/2001	James S. Burns	42390P12491

CONFIRMATION NO. 2611

FORMALITIES LETTER



Leo V. Novakoski  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

Date Mailed: 02/08/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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42390P12491

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Burns et al. )  
Serial No.: 10/041,013 ) Examiner: Not yet assigned  
Filed: December 28, 2001 ) Group Art Unit: 2181  
For: MULTIPLE MODE POWER )  
THROTTLE MECHANISM )  
Assistant Commissioner of Patents  
Washington, D.C. 20231

REQUEST FOR CORRECTION OF FILING RECEIPT

Dear Sir:

In a Filing Receipt for the above patent application dated February 8, 2002, the number of drawings sheets filed was recorded incorrectly as follows:

Drawings: 10

The correct number of sheets filed is as follows:

Drawings: 9

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on April 8, 2002

Date of Deposit

Raquel R. Torres

Name of Person Mailing Correspondence

Signature

Date

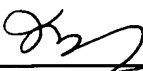
4/8/02



Please correct your records to reflect the above information and then forward to us a corrected filing receipt. Enclosed is a copy of the filing receipt marked with the appropriate correction

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 4/10/02, 2002   
Michael J. Mallie  
Reg. No. 36,591

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(408)720-8300



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HTT

UNITED STATES PATENT AND TRADEMARK OFFICE  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN  
LOS ANGELES

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/041,013	12/28/2001	2181	740	42390P12491	109	19	3

CONFIRMATION NO. 2611

FILING RECEIPT



\*OC000000007447924\*

Leo V. Novakoski  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

Date Mailed: 02/08/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

ENTERED

FEB 14 2002

STATUS DB-LA

Applicant(s)

- ✓ James S. Burns, Los Altos, CA;
- ✓ Stefan Rusu, Sunnyvale, CA;
- ✓ David J. Ayers, Fremont, CA;
- ✓ Edward T. Grochowski, San Jose, CA;
- ✓ Marsha Eng, Sunnyvale, CA;
- ✓ Vivek Tiwari, San Jose, CA;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 02/08/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

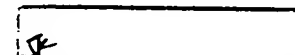
Title

Multiple mode power throttle mechanism

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FEB 15 2002

9.3.1.2. DATABASE DEPT.



ENTERED  
2/15/2002

Preliminary Class

713

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).